

JUL 09 2008

2/13

JUL-09-2008 04:51 PM MERCK & Co. 732-594-2250

Substitute for PTO/SB/31 (11-07) "Notice of Appeal From the Examiner to the Board Of Patent Appeals and Interferences"

PATENT CASE NO. 21406YP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: CHEN ET AL.

Serial No.: 10/561,571

Filed: December 21, 2005

Group Art Unit: 1624

Examiner: Venkataraman Balasubramanian

For: OPHTHALMIC COMPOSITIONS FOR TREATING OCULAR
HYPERTENSION

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant(s) hereby appeal(s) to the Board of Appeals from the decision dated June 18, 2008 of the
Examiner rejecting claims 1,3-6,8,9 and 12-15

The item checked below is appropriate:

☐ Fee not required (Fee paid in prior appeal).

☒ Charge the \$510 fee to Deposit Account No. 13-2755.

(Duplicate copy of this Notice is enclosed herewith)

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment
to Deposit Account 13-2755. Duplicate copies of this sheet are enclosed.

Respectfully submitted,

By: Sylvia A. Ayler

Attorney for Applicant(s)

Reg. No. 36,436

MERCK & CO., INC.

Patent Department, RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-4909

07/10/2008 HMARZI1 00000020 132755 10561571

01 FC:1401 510.00 DA

IN DUPLICATE

DATE: July 9, 2008

Computer generated form "Notice of Appeal" (Miscellaneous Folder), Merck & Co., Inc., 3/24/2008